

STATE OF MISSOURI  
DEPARTMENT OF NATURAL RESOURCES

Matt Blunt, Governor • Doyle Childers, Director

www.dnr.mo.gov

SEP 22 2006

CERTIFIED MAIL, 70041160000081716855  
RETURN RECEIPT REQUESTED

Mr. Mike Tomaszewski, Plant Manager  
Tetra Pak Materials  
2200 East Malone Avenue  
Sikeston, MO 63801

Re: Tetra Pak Materials, 201-0003  
Permit Number: **OP2006-068**

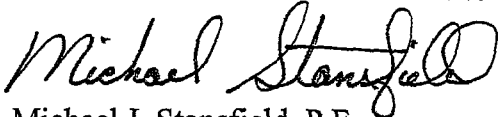
Dear Mr. Tomaszewski:

Enclosed with this letter is your Part 70 operating permit. Please review this document carefully. Operation of your installation, in accordance with the rules and regulations cited in this document, is necessary for continued compliance. It is very important you read and understand the requirements contained in your permit.

If you have any questions or need additional information regarding this permit, please contact the Air Pollution Control Program at (573) 751-4817, or you may write to the Department of Natural Resources' Air Pollution Control Program, PO Box 176, Jefferson City, MO 65102. Thank you for your time and attention.

Sincerely,

AIR POLLUTION CONTROL PROGRAM



Michael J. Stansfield, P.E.  
Operating Permit Unit Chief

MJS: bgk

Enclosures

c: Tamara Freeman, US EPA Region VII  
Southeast Regional Office  
PAMS File: 2004-09-040



**Missouri Department of Natural Resources**  
**Air Pollution Control Program**

## **PART 70**

# **PERMIT TO OPERATE**

Under the authority of RSMo 643 and the Federal Clean Air Act the applicant is authorized to operate the air contaminant source(s) described below, in accordance with the laws, rules, and conditions set forth here in.

**Operating Permit Number:** OP2006-068  
**Expiration Date:** SEP 21 2011  
**Installation ID:** 201-0003  
**Project Number:** 2004-09-040

**Installation Name and Address**

Tetra Pak Materials  
2200 East Malone Avenue  
Sikeston, MO 63801  
Scott County

**Parent Company's Name and Address**

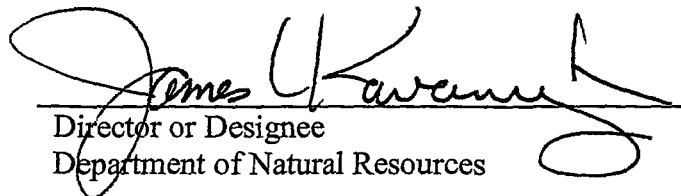
Tetra-Pak, Inc.  
101 Corporate Woods Parkway  
Vernon Hills, IL 60061

**Installation Description:**

Tetra Pak Materials is a manufacturer of paperboard milk cartons in Sikeston, Missouri. This installation, a major source for volatile organic compound emissions, uses a water-based ink system to print on the paperboard cartons.

SEP 22 2006

Effective Date

  
Director or Designee  
Department of Natural Resources

## Table of Contents

<b>I. INSTALLATION DESCRIPTION AND EQUIPMENT LISTING.....</b>	<b>3</b>
INSTALLATION DESCRIPTION.....	3
EMISSION UNITS WITH LIMITATIONS .....	3
EMISSION UNITS WITHOUT LIMITATIONS.....	3
DOCUMENTS INCORPORATED BY REFERENCE.....	4
<b>II. PLANT WIDE EMISSION LIMITATIONS.....</b>	<b>5</b>
Permit Condition PW001 .....	5
10 CSR 10-6.220 .....	5
Permit Condition PW002 .....	6
10 CSR 10-6.060 .....	6
Construction Permit Number 012005-013.....	6
<b>III. EMISSION UNIT SPECIFIC EMISSION LIMITATIONS.....</b>	<b>7</b>
EU0050 – STANDARD FRACTIONAL PRESS (E).....	7
Permit Condition EU0050-001 .....	7
10 CSR 10-6.060 .....	7
Construction Permit Number 1192-020.....	7
EU0130 – STANDARD FRACTIONAL PRESS (F).....	8
Permit Condition EU0130-001 .....	8
10 CSR 10-6.060 .....	8
Construction Permit Number 012005-013.....	8
<b>IV. CORE PERMIT REQUIREMENTS.....</b>	<b>9</b>
<b>V. GENERAL PERMIT REQUIREMENTS .....</b>	<b>15</b>
<b>VI. ATTACHMENTS .....</b>	<b>20</b>
Attachment A-1 .....	21
Attachment A-2 .....	22
Attachment A-3 .....	23
Attachment B.....	24
Attachment C.....	25
Attachment D .....	26
Attachment E.....	27

## I. Installation Description and Equipment Listing

### INSTALLATION DESCRIPTION

Tetra Pak Materials is a manufacturer of paperboard milk cartons in Sikeston, Missouri. This installation, a major source for volatile organic compound emissions, uses a water-based ink system to print on the paperboard cartons. The reported actual emissions for the past five years for the installation are listed below:

Reported Air Pollutant Emissions, tons per year							
Year	Particulate Matter ≤ Ten Microns (PM-10)	Sulfur Oxides (SO <sub>x</sub> )	Nitrogen Oxides (NO <sub>x</sub> )	Volatile Organic Compounds (VOC)	Carbon Monoxide (CO)	Lead (Pb)	Hazardous Air Pollutants (HAPs)
2005	0.00	0.00	0.00	40.94	0.00	0.00	Note 1
2004	0.05	0.00	0.56	44.70	0.04	0.00	
2003	0.04	0.00	0.54	15.36	0.44	0.00	
2002	0.06	0.00	0.42	15.40	0.36	0.00	
2001	0.06	0.00	0.40	18.00	0.34	0.00	

Note 1: Although the table includes no values for Hazardous Air Pollutants, the installation did emit Hazardous Air Pollutants during the years 2001-2005. The HAPs emissions were reported as VOCs on Form 2T pages of the Emission Inventory Questionnaires in the applicable years.

### EMISSION UNITS WITH LIMITATIONS

The following list provides a description of the equipment at this installation which emits air pollutants and which is identified as having unit-specific emission limitations.

Emission Unit #	EIQ Reference #	Description of Emission Unit
EU0050	EP-05	Standard Fractional Press (E) with Dryer and Preheater
EU0130	EP-16	Standard Fractional Press (F) with Dryer and Preheater

### EMISSION UNITS WITHOUT LIMITATIONS

The following list provides a description of the equipment which does not have unit specific limitations at the time of permit issuance.

Emission Unit #	EIQ Reference #	Description of Emission Unit
EU0010	EP-01	Standard Fractional Press (A) with Natural Gas Fired Oven Dryer and Preheater
EU0020	EP-02	Standard Fractional Press (B) with Natural Gas Fired Oven Dryer and Preheater
EU0030	EP-03	Standard Fractional Press (C) with Natural Gas Fired Oven Dryer and Preheater
EU0040	EP-04	Standard Fractional Press (D) with Natural Gas Fired Oven Dryer and Preheater
EU0060	EP-06	Flame Sealer (A) Stack (Natural Gas)
EU0070	EP-07	Flame Sealer (B) Stack (Natural Gas)
EU0080	EP-08	Flame Sealer (C) Stack (Natural Gas)
EU0090	EP-09	Flame Sealer (D) Stack (Natural Gas)
EU0100	EP-10	Flame Sealer (E) Stack (Natural Gas)
EU0110	EP-11	Scrap Blower/Shredder
EU0120	EP-12	Mini Fractional Press (E) Preheater

Emission Unit #	EIQ Reference #	Description of Emission Unit
	EP-13	Space Heaters, 1.1 MMBtu/hr
	EP-14	Photo Polymer Printing Plates Processing
	T-01	6,000 Gallon Acetate Tank
	T-02	3,000 Gallon Alcohol Tank
	INS-01	Solvent Metal Cleaning – Parts Washer
	INS-02	Skive Unit

#### **DOCUMENTS INCORPORATED BY REFERENCE**

These documents have been incorporated by reference into this permit.

- 1) Construction Permit Number 1192-020
- 2) Construction Permit Number 012005-013

## II. Plant Wide Emission Limitations

The installation shall comply with each of the following emission limitations. Consult the appropriate sections in the Code of Federal Regulations (CFR) and Code of State Regulations (CSR) for the full text of the applicable requirements. All citations, unless otherwise noted, are to the regulations in effect as of the date that this permit is issued.

### Permit Condition PW001

10 CSR 10-6.220

#### Restriction of Emission of Visible Air Contaminants

##### Emission Limitation:

- 1) No owner or other person shall cause or permit emissions to be discharged into the atmosphere from any existing source any visible emissions with an opacity greater than 40%.  
*Existing source:* -any equipment, machine, device, article, contrivance or installation installed or in construction in the outstate Missouri area on February 24, 1971.
- 2) No owner or other person shall cause or permit emissions to be discharged into the atmosphere from any new source any visible emissions with an opacity greater than 20%.  
*New source:* -any equipment, machine, device, article, contrivance or installation installed in the outstate Missouri area after February 24, 1971.
- 3) Exception: A person may discharge into the atmosphere from any source of emissions for a period(s) aggregating not more than six (6) minutes in any 60 minutes air contaminants with an opacity up to 60%.

##### Monitoring:

- 1) The permittee shall conduct opacity readings on the emission unit(s) using the procedures contained in USEPA Test Method 22. At a minimum, the observer should be trained and knowledgeable about the effects on visibility of emissions caused by background contrast, ambient lighting, observer position relative to lighting, wind and the presence of uncombined water. Readings are only required when the emission unit(s) is operating and when the weather conditions allow. If no visible or other significant emissions are observed using these procedures, then no further observations would be required. For emission units with visible emissions perceived or believed to exceed the applicable opacity standard, the source representative would then conduct a Method 9 observation.
- 2) The following monitoring schedule must be maintained:
  - a) Monthly observations shall be conducted for a minimum of three consecutive months after permit issuance. Should no violation of this regulation be observed during this period then-
  - b) Observations must be made semi-annually (i.e., once per reporting period). Observation shall be conducted during the January-June reporting period and during the July-December reporting period. If a violation is noted, monitoring reverts to monthly.
- 3) If the source reverts to monthly monitoring at any time, monitoring frequency will progress in an identical manner from the initial monitoring frequency.

##### Recordkeeping:

- 1) The permittee shall maintain records of all observation results (see Attachment A-1 or A-2), noting:
  - a) Whether any air emissions (except for water vapor) were visible from the emission units,
  - b) All emission units from which visible emissions occurred, and
  - c) Whether the visible emissions were normal for the process.
- 2) The permittee shall maintain records of any equipment malfunctions.
- 3) The permittee shall maintain records of any Method 9 test performed in accordance with this permit condition. (see Attachment A-3)
- 4) Attachments A-1, A-2 and A-3 contain logs including these recordkeeping requirements. These logs, or an equivalent created by the permittee, must be used to certify compliance with this requirement.

**Reporting:**

- 1) The permittee shall report to the Air Pollution Control Program Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than ten days after the permittee determined using the Method 9 test that the emission unit(s) exceeded the opacity limit.
- 2) Reports of any deviations from monitoring, recordkeeping and reporting requirements of this permit condition shall be submitted semiannually, in the semi-annual monitoring report and annual compliance certification, as required by Section V of this permit.

**Permit Condition PW002**

10 CSR 10-6.060

**Construction Permits Required**

Construction Permit Number 012005-013

**Emission Limitation:**

- 1) Tetra Pak Materials shall emit less than ten (10) tons of any individual Hazardous Air Pollutant (HAP) from the entire installation in any consecutive 12-month period.  
[Construction Permit 012005-013, Special Condition 1B]
- 2) Tetra Pak Materials shall emit less than twenty-five (25) tons of any combination of Hazardous Air Pollutants (HAPs) from the entire installation in any consecutive 12-month period.  
[Construction Permit 012005-013, Special Condition 1B]

**Monitoring/Recordkeeping:**

Attachment B and Attachment C or equivalent forms approved by the Air Pollution Control Program shall be used to demonstrate compliance with Special Condition 1B of Construction Permit No. 012005-013. Tetra Pak Materials shall maintain all records for not less than five (5) years and shall make them available immediately to any Missouri Department of Natural Resources' personnel upon request. These records shall include Material Safety Data Sheets (MSDS) for all materials used in this installation.

[Construction Permit 012005-013, Special Condition 1C]

**Reporting:**

Tetra Pak Material shall report to the Air Pollution Control Program Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than ten days after the end of the month during which the records from Special Condition 1C of Construction Permit 012005-013 indicate that the source exceeded the limitation of Special Condition 1B of Construction Permit No. 012005-013.

[Construction Permit 012005-013, Special Condition 1D]

### III. Emission Unit Specific Emission Limitations

The installation shall comply with each of the following emission limitations. Consult the appropriate sections in the Code of Federal Regulations (CFR) and Code of State Regulations (CSR) for the full text of the applicable requirements. All citations, unless otherwise noted, are to the regulations in effect as of the date that this permit is issued.

EU0050 – Standard Fractional Press (E)			
Emission Unit	Description	Manufacturer/Model #	2005-EIQ Reference #
EU0050	Standard Fractional Press (E) with Natural Gas Fired Oven Dryer and Preheater, Installed 1992	Excello-Evers (Press) Wise Corp (Oven Dryer)	EP-05 & EP-12

#### Permit Condition EU0050-001

10 CSR 10-6.060

**Construction Permits Required**

Construction Permit Number 1192-020

**Recordkeeping:**

Tetra Pak Materials shall keep records on-site for the most recent 60 months of operation that show the tonnage of each raw material used. Records shall contain both the monthly total and previous 12-month rolling total in a form such as Attachment D or its equivalent. Raw materials specifically refer to the inks, adhesives and ethylene glycol monopropyl ether.



EU0130 – Standard Fractional Press (F)			
Emission Unit	Description	Manufacturer/Model #	2005 EIQ Reference #
EU0130	Standard Fractional Press (F)with Natural Gas Fired Oven Dryer and Preheater		EP-16

### Permit Condition EU0130-001

10 CSR 10-6.060

#### **Construction Permits Required**

Construction Permit Number 012005-013

#### **Emission Limitation:**

Tetra Pak Materials shall emit less than 40 tons of Volatile Organic Compounds (VOCs) from the new standard fractional press (F) in any consecutive 12-month period.

[Construction Permit 012005-013, Special Condition 1A]

#### **Operational Limitation/Equipment Specifications:**

Tetra Pak Materials shall keep the ink solvents and cleaning solution in sealed containers whenever the materials are not in use. Tetra Pak Materials shall provide and maintain suitable and easily read permanent markings on all inks, solvents and cleaning solution containers used with this equipment.

[Construction Permit 012005-013, Special Condition 2]

#### **Monitoring/Recordkeeping:**

Attachment E or equivalent forms approved by the Air Pollution Control Program shall be used to demonstrate compliance with Special Condition 1A of Construction Permit No. 012005-013. Tetra Pak Materials shall maintain all records for not less than five (5) years and shall make them available immediately to any Missouri Department of Natural Resources' personnel upon request. These records shall include Material Safety Data Sheets (MSDS) for all materials used in this installation.

[Construction Permit 012005-013, Special Condition 1C]

#### **Reporting:**

Tetra Pak Material shall report to the Air Pollution Control Program Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than ten days after the end of the month during which the records from Special Condition 1C of Construction Permit 012005-013 indicate that the source exceeded the limitation of Special Condition 1A of Construction Permit No. 012005-013.

[Construction Permit 012005-013, Special Condition 1D]

## IV. Core Permit Requirements

The installation shall comply with each of the following requirements. Consult the appropriate sections in the Code of Federal Regulations (CFR) and Code of State Regulations (CSR) for the full text of the applicable requirements. All citations, unless otherwise noted, are to the regulations in effect as of the date that this permit is issued.

### 10 CSR 10-6.050 Start-up, Shutdown and Malfunction Conditions

- 1) In the event of a malfunction, which results in excess emissions that exceed one hour, the permittee shall submit to the director within two business days, in writing, the following information:
  - a) Name and location of installation;
  - b) Name and telephone number of person responsible for the installation;
  - c) Name of the person who first discovered the malfunction and precise time and date that the malfunction was discovered.
  - d) Identity of the equipment causing the excess emissions;
  - e) Time and duration of the period of excess emissions;
  - f) Cause of the excess emissions;
  - g) Air pollutants involved;
  - h) Best estimate of the magnitude of the excess emissions expressed in the units of the applicable requirement and the operating data and calculations used in estimating the magnitude;
  - i) Measures taken to mitigate the extent and duration of the excess emissions; and
  - j) Measures taken to remedy the situation that caused the excess emissions and the measures taken or planned to prevent the recurrence of these situations.
- 2) The permittee shall submit the paragraph 1 information list to the director in writing at least ten days prior to any maintenance, start-up or shutdown, which is expected to cause an excessive release of emissions that exceed one hour. If notice of the event cannot be given ten days prior to the planned occurrence, it shall be given as soon as practicable prior to the release. If an unplanned excess release of emissions exceeding one hour occurs during maintenance, start-up or shutdown, the director shall be notified verbally as soon as practical during normal working hours and no later than the close of business of the following working day. A written notice shall follow within ten working days.
- 3) Upon receipt of a notice of excess emissions issued by an agency holding a certificate of authority under section 643.140, RSMo, the permittee may provide information showing that the excess emissions were the consequence of a malfunction, start-up or shutdown. The information, at a minimum, should be the paragraph 1 list and shall be submitted not later than 15 days after receipt of the notice of excess emissions. Based upon information submitted by the permittee or any other pertinent information available, the director or the commission shall make a determination whether the excess emissions constitute a malfunction, start-up or shutdown and whether the nature, extent and duration of the excess emissions warrant enforcement action under section 643.080 or 643.151, RSMo.
- 4) Nothing in this rule shall be construed to limit the authority of the director or commission to take appropriate action, under sections 643.080, 643.090 and 643.151, RSMo to enforce the provisions of the Air Conservation Law and the corresponding rule.
- 5) Compliance with this rule does not automatically absolve the permittee of liability for the excess emissions reported.

### **10 CSR 10-6.060 Construction Permits Required**

The permittee shall not commence construction, modification, or major modification of any installation subject to this rule, begin operation after that construction, modification, or major modification, or begin operation of any installation which has been shut down longer than five years without first obtaining a permit from the permitting authority.

### **10 CSR 10-6.065 Operating Permits**

The permittee shall file a complete application for renewal of this operating permit at least six months before the date of permit expiration. In no event shall this time be greater than eighteen months. [10 CSR 10-6.065(6)(B)1.A(V)] The permittee shall retain the most current operating permit issued to this installation on-site. [10 CSR 10-6.065(6)(C)1.C(II)] The permittee shall immediately make such permit available to any Missouri Department of Natural Resources personnel upon request. [10 CSR 10-6.065(6)(C)3.B]

### **10 CSR 10-6.110 Submission of Emission Data, Emission Fees and Process Information**

- 1) The permittee shall complete and submit an Emission Inventory Questionnaire (EIQ) in accordance with the requirements outlined in this rule.
- 2) The permittee shall pay an annual emission fee per ton of regulated air pollutant emitted according to the schedule in the rule. This fee is an emission fee assessed under authority of RSMo. 643.079 to satisfy the requirements of the Federal Clean Air Act, Title V.
- 3) The fees shall be due April 1 each year for emissions produced during the previous calendar year. The fees shall be payable to the Department of Natural Resources and shall be accompanied by the Emissions Inventory Questionnaire (EIQ) form or equivalent approved by the director.

### **10 CSR 10-6.130 Controlling Emissions During Episodes of High Air Pollution Potential**

This rule specifies the conditions that establish an air pollution alert (yellow/orange/red/purple), or emergency (maroon) and the associated procedures and emission reduction objectives for dealing with each. The permittee shall submit an appropriate emergency plan if required by the Director.

### **10 CSR 10-6.150 Circumvention**

The permittee shall not cause or permit the installation or use of any device or any other means which, without resulting in reduction in the total amount of air contaminant emitted, conceals or dilutes an emission or air contaminant which violates a rule of the Missouri Air Conservation Commission.

### **10 CSR 10-6.170 Restriction of Particulate Matter to the Ambient Air Beyond the Premises of Origin**

- 1) The permittee shall not cause or allow to occur any handling, transporting or storing of any material; construction, repair, cleaning or demolition of a building or its appurtenances; construction or use of a road, driveway or open area; or operation of a commercial or industrial installation without applying reasonable measures as may be required to prevent, or in a manner which allows or may allow, fugitive particulate matter emissions to go beyond the premises of origin in quantities that the particulate matter may be found on surfaces beyond the property line of origin. The nature or origin of the particulate matter shall be determined to a reasonable degree of certainty by a technique proven to be accurate and approved by the director.
- 2) The permittee shall not cause nor allow to occur any fugitive particulate matter emissions to remain visible in the ambient air beyond the property line of origin.

**10 CSR 10-3.090 Restriction of Emission of Odors**

No person may cause, permit or allow the emission of odorous matter in concentrations and frequencies or for durations that odor can be perceived when one volume of odorous air is diluted with seven volumes of odor-free air for two separate trials not less than 15 minutes apart within the period of one hour.

**This requirement is not federally enforceable.**

**10 CSR 10-6.080 Emission Standards for Hazardous Air Pollutants and 40 CFR Part 61 Subpart M National Emission Standard for Asbestos**

- 1) The permittee shall follow the procedures and requirements of 40 CFR Part 61, Subpart M for any activities occurring at this installation which would be subject to provisions for 40 CFR Part 61, Subpart M, National Emission Standard for Asbestos.
- 2) The permittee shall conduct monitoring to demonstrate compliance with registration, certification, notification, and Abatement Procedures and Practices standards as specified in 40 CFR Part 61, Subpart M.

**10 CSR 10-6.250 Asbestos Abatement Projects – Certification, Accreditation, and Business Exemption Requirements**

The permittee shall conduct all asbestos abatement projects within the procedures established for certification and accreditation by 10 CSR 10-6.250. This rule requires individuals who work in asbestos abatement projects to be certified by the Missouri Department of Natural Resources Air Pollution Control Program. This rule requires training providers who offer training for asbestos abatement occupations to be accredited by the Missouri Department of Natural Resources Air Pollution Control Program. This rule requires persons who hold exemption status from certain requirements of this rule to allow the department to monitor training provided to employees. Each individual who works in asbestos abatement projects must first obtain certification for the appropriate occupation from the department. Each person who offers training for asbestos abatement occupations must first obtain accreditation from the department. Certain business entities that meet the requirements for state-approved exemption status must allow the department to monitor training classes provided to employees who perform asbestos abatement.

**Title VI – 40 CFR Part 82 Protection of Stratospheric Ozone**

- 1) The permittee shall comply with the standards for labeling of products using ozone-depleting substances pursuant to 40 CFR Part 82, Subpart E:
  - a) All containers in which a class I or class II substance is stored or transported, all products containing a class I substance, and all products directly manufactured with a class I substance must bear the required warning statement if it is being introduced into interstate commerce pursuant to §82.106.
  - b) The placement of the required warning statement must comply with the requirements pursuant to §82.108.
  - c) The form of the label bearing the required warning statement must comply with the requirements pursuant to §82.110.
  - d) No person may modify, remove, or interfere with the required warning statement except as described in §82.112.
- 2) The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioners (MVACs) in Subpart B:

- a) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to §82.156.
  - b) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to §82.158.
  - c) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to §82.161.
  - d) Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with recordkeeping requirements pursuant to §82.166. ("MVAC-like" appliance as defined at §82.152).
  - e) Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to §82.156.
  - f) Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to §82.166.
- 3) If the permittee manufactures, transforms, imports, or exports a class I or class II substance, the permittee is subject to all the requirements as specified in 40 CFR part 82, Subpart A, Production and Consumption Controls.
  - 4) If the permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), the permittee is subject to all the applicable requirements as specified in 40 CFR part 82, Subpart B, Servicing of Motor Vehicle Air conditioners. The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo, or system used on passenger buses using HCFC-22 refrigerant.

The permittee shall be allowed to switch from any ozone-depleting substance to any alternative that is listed in the Significant New Alternatives Program (SNAP) promulgated pursuant to 40 CFR part 82, Subpart G, Significant New Alternatives Policy Program. *Federal Only - 40 CFR part 82*

#### **10 CSR 10-6.280 Compliance Monitoring Usage**

- 1) The permittee is not prohibited from using the following in addition to any specified compliance methods for the purpose of submission of compliance certificates:
  - a) Monitoring methods outlined in 40 CFR Part 64;
  - b) Monitoring method(s) approved for the permittee pursuant to 10 CSR 10-6.065, "Operating Permits", and incorporated into an operating permit; and
  - c) Any other monitoring methods approved by the director.
- 2) Any credible evidence may be used for the purpose of establishing whether a permittee has violated or is in violation of any such plan or other applicable requirement. Information from the use of the following methods is presumptively credible evidence of whether a violation has occurred by a permittee:
  - a) Monitoring methods outlined in 40 CFR Part 64;
  - b) A monitoring method approved for the permittee pursuant to 10 CSR 10-6.065, "Operating Permits", and incorporated into an operating permit; and
  - c) Compliance test methods specified in the rule cited as the authority for the emission limitations.
- 3) The following testing, monitoring or information gathering methods are presumptively credible testing, monitoring, or information gathering methods:
  - a) Applicable monitoring or testing methods, cited in:
    - i) 10 CSR 10-6.030, "Sampling Methods for Air Pollution Sources";

- a) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to §82.156.
  - b) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to §82.158.
  - c) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to §82.161.
  - d) Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with recordkeeping requirements pursuant to §82.166. ("MVAC-like" appliance as defined at §82.152).
  - e) Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to §82.156.
  - f) Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to §82.166.
- 3) If the permittee manufactures, transforms, imports, or exports a class I or class II substance, the permittee is subject to all the requirements as specified in 40 CFR part 82, Subpart A, Production and Consumption Controls.
  - 4) If the permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), the permittee is subject to all the applicable requirements as specified in 40 CFR part 82, Subpart B, Servicing of Motor Vehicle Air conditioners. The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo, or system used on passenger buses using HCFC-22 refrigerant.

The permittee shall be allowed to switch from any ozone-depleting substance to any alternative that is listed in the Significant New Alternatives Program (SNAP) promulgated pursuant to 40 CFR part 82, Subpart G, Significant New Alternatives Policy Program. *Federal Only - 40 CFR part 82*

#### **10 CSR 10-6.280 Compliance Monitoring Usage**

- 1) The permittee is not prohibited from using the following in addition to any specified compliance methods for the purpose of submission of compliance certificates:
  - a) Monitoring methods outlined in 40 CFR Part 64;
  - b) Monitoring method(s) approved for the permittee pursuant to 10 CSR 10-6.065, "Operating Permits", and incorporated into an operating permit; and
  - c) Any other monitoring methods approved by the director.
- 2) Any credible evidence may be used for the purpose of establishing whether a permittee has violated or is in violation of any such plan or other applicable requirement. Information from the use of the following methods is presumptively credible evidence of whether a violation has occurred by a permittee:
  - a) Monitoring methods outlined in 40 CFR Part 64;
  - b) A monitoring method approved for the permittee pursuant to 10 CSR 10-6.065, "Operating Permits", and incorporated into an operating permit; and
  - c) Compliance test methods specified in the rule cited as the authority for the emission limitations.
- 3) The following testing, monitoring or information gathering methods are presumptively credible testing, monitoring, or information gathering methods:
  - a) Applicable monitoring or testing methods, cited in:
    - i) 10 CSR 10-6.030, "Sampling Methods for Air Pollution Sources";

- ii) 10 CSR 10-6.040, "Reference Methods";
- iii) 10 CSR 10-6.070, "New Source Performance Standards";
- iv) 10 CSR 10-6.080, "Emission Standards for Hazardous Air Pollutants"; or
- b) Other testing, monitoring, or information gathering methods, if approved by the director, that produce information comparable to that produced by any method listed above.

## **V. General Permit Requirements**

The installation shall comply with each of the following requirements. Consult the appropriate sections in the Code of Federal Regulations (CFR) and Code of State Regulations (CSR) for the full text of the applicable requirements. All citations, unless otherwise noted, are to the regulations in effect as of the date that this permit is issued,

### **10 CSR 10-6.065(6)(C)1.B Permit Duration**

This permit is issued for a term of five years, commencing on the date of issuance. This permit will expire at the end of this period unless renewed.

### **10 CSR 10-6.065(6)(C)1.C General Recordkeeping and Reporting Requirements**

#### **1) Recordkeeping**

- a) All required monitoring data and support information shall be retained for a period of at least five years from the date of the monitoring sample, measurement, report or application.
- b) Copies of all current operating and construction permits issued to this installation shall be kept on-site for as long as the permits are in effect. Copies of these permits shall be made immediately available to any Missouri Department of Natural Resources' personnel upon request.

#### **2) Reporting**

- a) All reports shall be submitted to the Air Pollution Control Program, Enforcement Section, P. O. Box 176, Jefferson City, MO 65102.
- b) The permittee shall submit a report of all required monitoring by:
  - i) October 1st for monitoring which covers the January through June time period, and
  - ii) April 1st for monitoring which covers the July through December time period.
  - iii) Exception. Monitoring requirements which require reporting more frequently than semi annually shall report no later than 30 days after the end of the calendar quarter in which the measurements were taken.
- c) Each report shall identify any deviations from emission limitations, monitoring, recordkeeping, reporting, or any other requirements of the permit, this includes deviations or Part 64 exceedances.
- d) Submit supplemental reports as required or as needed. Supplemental reports are required no later than ten days after any exceedance of any applicable rule, regulation or other restriction. All reports of deviations shall identify the cause or probable cause of the deviations and any corrective actions or preventative measures taken.
  - i) Notice of any deviation resulting from an emergency (or upset) condition as defined in paragraph (6)(C)7.A of 10 CSR 10-6.065 (Emergency Provisions) shall be submitted to the permitting authority either verbally or in writing within two working days after the date on which the emission limitation is exceeded due to the emergency, if the permittee wishes to assert an affirmative defense. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that indicate an emergency occurred and the permittee can identify the cause(s) of the emergency. The permitted installation must show that it was operated properly at the time and that during the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or requirements in the permit. The notice must contain a description of the emergency, the steps taken to mitigate emissions, and the corrective actions taken.
  - ii) Any deviation that poses an imminent and substantial danger to public health, safety or the environment shall be reported as soon as practicable.



- iii) Any other deviations identified in the permit as requiring more frequent reporting than the permittee's semiannual report shall be reported on the schedule specified in this permit, and no later than ten days after any exceedance of any applicable rule, regulation, or other restriction.
- e) Every report submitted shall be certified by the responsible official, except that, if a report of a deviation must be submitted within ten days after the deviation, the report may be submitted without a certification if the report is resubmitted with an appropriate certification within ten days after that, together with any corrected or supplemental information required concerning the deviation.
- f) The permittee may request confidential treatment of information submitted in any report of deviation.

#### **10 CSR 10-6.065(6)(C)1.D Risk Management Plan Under Section 112(r)**

The permittee shall comply with the requirements of 40 CFR Part 68, Accidental Release Prevention Requirements. If the permittee has more than a threshold quantity of a regulated substance in process, as determined by 40 CFR Section 68.115, the permittee shall submit a Risk Management Plan in accordance with 40 CFR Part 68 no later than the latest of the following dates:

- 1) June 21, 1999;
- 2) Three years after the date on which a regulated substance is first listed under 40 CFR Section 68.130; or
- 3) The date on which a regulated substance is first present above a threshold quantity in a process.

#### **10 CSR 10-6.065(6)(C)1.F Severability Clause**

In the event of a successful challenge to any part of this permit, all uncontested permit conditions shall continue to be in force. All terms and conditions of this permit remain in effect pending any administrative or judicial challenge to any portion of the permit. If any provision of this permit is invalidated, the permittee shall comply with all other provisions of the permit.

#### **10 CSR 10-6.065(6)(C)1.G General Requirements**

- 1) The permittee must comply with all of the terms and conditions of this permit. Any noncompliance with a permit condition constitutes a violation and is grounds for enforcement action, permit termination, permit revocation and re-issuance, permit modification or denial of a permit renewal application.
- 2) The permittee may not use as a defense in an enforcement action that it would have been necessary for the permittee to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit
- 3) The permit may be modified, revoked, reopened, reissued or terminated for cause. Except as provided for minor permit modifications, the filing of an application or request for a permit modification, revocation and reissuance, or termination, or the filing of a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
- 4) This permit does not convey any property rights of any sort, nor grant any exclusive privilege.
- 5) The permittee shall furnish to the Air Pollution Control Program, upon receipt of a written request and within a reasonable time, any information that the Air Pollution Control Program reasonably may require to determine whether cause exists for modifying, reopening, reissuing or revoking the permit or to determine compliance with the permit. Upon request, the permittee also shall furnish to the Air Pollution Control Program copies of records required to be kept by the permittee. The

permittee may make a claim of confidentiality for any information or records submitted pursuant to 10 CSR 10-6.065(6)(C)1.

**10 CSR 10-6.065(6)(C)1.H Incentive Programs Not Requiring Permit Revisions**

No permit revision will be required for any installation changes made under any approved economic incentive, marketable permit, emissions trading, or other similar programs or processes provided for in this permit.

**10 CSR 10-6.065(6)(C)1.I Reasonably Anticipated Operating Scenarios**

None.

**10 CSR 10-6.065(6)(C)3 Compliance Requirements**

- 1) Any document (including reports) required to be submitted under this permit shall contain a certification signed by the responsible official.
- 2) Upon presentation of credentials and other documents as may be required by law, the permittee shall allow authorized officials of the Missouri Department of Natural Resources, or their authorized agents, to perform the following (subject to the installation's right to seek confidential treatment of information submitted to, or obtained by, the Air Pollution Control Program):
  - a) Enter upon the premises where a permitted installation is located or an emissions-related activity is conducted, or where records must be kept under the conditions of this permit;
  - b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
  - c) Inspect, at reasonable times and using reasonable safety practices, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and
  - d) As authorized by the Missouri Air Conservation Law, Chapter 643, RSMo or the Act, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the terms of this permit, and all applicable requirements as outlined in this permit.
- 3) All progress reports required under an applicable schedule of compliance shall be submitted semiannually (or more frequently if specified in the applicable requirement). These progress reports shall contain the following:
  - a) Dates for achieving the activities, milestones or compliance required in the schedule of compliance, and dates when these activities, milestones or compliance were achieved, and
  - b) An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventative or corrective measures adopted.
- 4) The permittee shall submit an annual certification that it is in compliance with all of the federally enforceable terms and conditions contained in this permit, including emissions limitations, standards, or work practices. These certifications shall be submitted annually by April 1st, unless the applicable requirement specifies more frequent submission. These certifications shall be submitted to EPA Region VII, 901 North 5th Street, Kansas City, Kansas 66101, as well as the Air Pollution Control Program, Enforcement Section, P.O. Box 176, Jefferson City, MO 65102. All deviations and Part 64 exceedances and excursions must be included in the compliance certifications. The compliance certification shall include the following:
  - a) The identification of each term or condition of the permit that is the basis of the certification;
  - b) The current compliance status, as shown by monitoring data and other information reasonably available to the installation;
  - c) Whether compliance was continuous or intermittent;

- d) The method(s) used for determining the compliance status of the installation, both currently and over the reporting period; and
- e) Such other facts as the Air Pollution Control Program will require in order to determine the compliance status of this installation.

#### **10 CSR 10-6.065(6)(C)6 Permit Shield**

- 1) Compliance with the conditions of this permit shall be deemed compliance with all applicable requirements as of the date that this permit is issued, provided that:
  - a) The application requirements are included and specifically identified in this permit, or
  - b) The permitting authority, in acting on the permit revision or permit application, determines in writing that other requirements, as specifically identified in the permit, are not applicable to the installation, and this permit expressly includes that determination or a concise summary of it.
- 2) Be aware that there are exceptions to this permit protection. The permit shield does not affect the following:
  - a) The provisions of section 303 of the Act or section 643.090, RSMo concerning emergency orders,
  - b) Liability for any violation of an applicable requirement which occurred prior to, or was existing at, the time of permit issuance,
  - c) The applicable requirements of the acid rain program,
  - d) The authority of the Environmental Protection Agency and the Air Pollution Control Program of the Missouri Department of Natural Resources to obtain information, or
  - e) Any other permit or extra-permit provisions, terms or conditions expressly excluded from the permit shield provisions.

#### **10 CSR 10-6.065(6)(C)7 Emergency Provisions**

- 1) An emergency or upset as defined in 10 CSR 10-6.065(6)(C)7.A shall constitute an affirmative defense to an enforcement action brought for noncompliance with technology-based emissions limitations. To establish an emergency- or upset-based defense, the permittee must demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence, the following:
  - a) That an emergency or upset occurred and that the permittee can identify the source of the emergency or upset,
  - b) That the installation was being operated properly,
  - c) That the permittee took all reasonable steps to minimize emissions that exceeded technology-based emissions limitations or requirements in this permit, and
  - d) That the permittee submitted notice of the emergency to the Air Pollution Control Program within two working days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and any corrective actions taken.
- 2) Be aware that an emergency or upset shall not include noncompliance caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

#### **10 CSR 10-6.065(6)(C)8 Operational Flexibility**

An installation that has been issued a Part 70 operating permit is not required to apply for or obtain a permit revision in order to make any of the changes to the permitted installation described below if the changes are not Title I modifications, the changes do not cause emissions to exceed emissions allowable under the permit, and the changes do not result in the emission of any air contaminant not previously

emitted. The permittee shall notify the Air Pollution Control Program, Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 901 North 5th Street, Kansas City, Kansas 66101, at least seven days in advance of these changes, except as allowed for emergency or upset conditions. Emissions allowable under the permit means a federally enforceable permit term or condition determined at issuance to be required by an applicable requirement that establishes an emissions limit (including a work practice standard) or a federally enforceable emissions cap that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject.

- 1) Section 502(b)(10) changes. Changes that, under section 502(b)(10) of the Act, contravene an express permit term may be made without a permit revision, except for changes that would violate applicable requirements of the Act or contravene federally enforceable monitoring (including test methods), recordkeeping, reporting or compliance requirements of the permit.
  - a) Before making a change under this provision, The permittee shall provide advance written notice to the Air Pollution Control Program, Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 901 North 5th Street, Kansas City, Kansas 66101, describing the changes to be made, the date on which the change will occur, and any changes in emission and any permit terms and conditions that are affected. The permittee shall maintain a copy of the notice with the permit, and the APCP shall place a copy with the permit in the public file. Written notice shall be provided to the EPA and the APCP as above at least seven days before the change is to be made. If less than seven days notice is provided because of a need to respond more quickly to these unanticipated conditions, the permittee shall provide notice to the EPA and the APCP as soon as possible after learning of the need to make the change.
  - b) The permit shield shall not apply to these changes.

#### **10 CSR 10-6.065(6)(C)9 Off-Permit Changes**

- 1) Except as noted below, the permittee may make any change in its permitted operations, activities or emissions that is not addressed in, constrained by or prohibited by this permit without obtaining a permit revision. Insignificant activities listed in the application, but not otherwise addressed in or prohibited by this permit, shall not be considered to be constrained by this permit for purposes of the off-permit provisions of this section. Off-permit changes shall be subject to the following requirements and restrictions:
  - a) The change must meet all applicable requirements of the Act and may not violate any existing permit term or condition; the permittee may not change a permitted installation without a permit revision if this change is subject to any requirements under Title IV of the Act or is a Title I modification;
  - b) The permittee must provide written notice of the change to the Air Pollution Control Program, Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 901 North 5th Street, Kansas City, Kansas 66101, no later than the next annual emissions report. This notice shall not be required for changes that are insignificant activities under 10 CSR 10-6.065(6)(B)3. This written notice shall describe each change, including the date, any change in emissions, pollutants emitted and any applicable requirement that would apply as a result of the change.
  - c) The permittee shall keep a record describing all changes made at the installation that result in emissions of a regulated air pollutant subject to an applicable requirement and the emissions resulting from these changes; and
  - d) The permit shield shall not apply to these changes.

#### **10 CSR 10-6.020(2)(R)12 Responsible Official**

The application utilized in the preparation of this permit was signed by John Bryant, Production Manager. On May 2, 2006 the Air Pollution Control Program was informed that Mike Tomaszewski, Plant Manager is now the responsible official. If this person terminates employment, or is reassigned different duties such that a different person becomes the responsible person to represent and bind the installation in environmental permitting affairs, the owner or operator of this air contaminant source shall notify the Director of the Air Pollution Control Program of the change. Said notification shall be in writing and shall be submitted within 30 days of the change. The notification shall include the name and title of the new person assigned by the source owner or operator to represent and bind the installation in environmental permitting affairs. All representations, agreement to terms and conditions and covenants made by the former responsible person that were used in the establishment of limiting permit conditions on this permit will continue to be binding on the installation until such time that a revision to this permit is obtained that would change said representations, agreements and covenants.

#### **10 CSR 10-6.065(6)(E)6 Reopening-Permit for Cause**

This permit may be reopened for cause if:

- 1) The Missouri Department of Natural Resources (MDNR) receives notice from the Environmental Protection Agency (EPA) that a petition for disapproval of a permit pursuant to 40 CFR § 70.8(d) has been granted, provided that the reopening may be stayed pending judicial review of that determination,
- 2) MDNR or EPA determines that the permit contains a material mistake or that inaccurate statements were made which resulted in establishing the emissions limitation standards or other terms of the permit,
- 3) Additional applicable requirements under the Act become applicable to the installation; however, reopening on this ground is not required if—:
  - a) The permit has a remaining term of less than three years;
  - b) The effective date of the requirement is later than the date on which the permit is due to expire;or
  - c) The additional applicable requirements are implemented in a general permit that is applicable to the installation and the installation receives authorization for coverage under that general permit,
- 4) The installation is an affected source under the acid rain program and additional requirements (including excess emissions requirements), become applicable to that source, provided that, upon approval by EPA, excess emissions offset plans shall be deemed to be incorporated into the permit; or
- 5) MDNR or EPA determines that the permit must be reopened and revised to assure compliance with applicable requirements.

#### **10 CSR 10-6.065(6)(E)1.C Statement of Basis**

This permit is accompanied by a statement setting forth the legal and factual basis for the draft permit conditions (including references to applicable statutory or regulatory provisions). This Statement of Basis, while referenced by the permit, is not an actual part of the permit.

## **VI. Attachments**

Attachments follow.

Attachment A-1

**10 CSR 10-6.220 Compliance Demonstration  
Opacity Emission Observations**

This attachment or an equivalent may be used to help meet the recordkeeping requirements of Permit Condition PW001

Method 22 (Outdoor) Observation Log		
Emission Unit		
Observer	Date	
Sky Conditions		
Precipitation		
Wind Direction	Wind Speed	
Sketch process unit: Indicate the position relative to the source and sun; mark the potential emission points and/or the observing emission points.		
Observation Clock Time	Observation Period Duration (minute:second)	Accumulative Emission Time (minute:second)
Begin Observation		
End Observation		

## Attachment A-2

## 10 CSR 10-6.220 Compliance Demonstration

This attachment or an equivalent may be used to help meet the recordkeeping requirements of Permit Condition PW001.

[illegible]

Attachment A-3

**10 CSR 10-6.220 Compliance Demonstration  
Method 9 Visual Determination of Opacity**

This attachment or an equivalent may be used to help meet the recordkeeping requirements of Permit Condition PW001.

Method 9 Opacity Emissions Observation	
Company	Observer
Location	Observer Certification Date
Date	Emission Unit
Time	Control Device

Hour	Minute	Seconds				Steam Plum (Check if applicable)		Comments
		0	15	30	45	Attached	Detached	
	0							
	1							
	2							
	3							
	4							
	5							
	6							
	7							
	8							
	9							
	10							
	11							
	12							
	13							
	14							
	15							
	16							
	17							
	18							

SUMMARY OF AVERAGE OPACITY				
Set Number	Time		Opacity	
	Start	End	Sum	Average

Readings ranged from \_\_\_\_\_ to \_\_\_\_\_ % opacity.

Was the emission unit in compliance at the time of evaluation?

YES

NO

Signature of Observer



## Attachment B

**Construction Permit No. 012005-013 – Monthly Combined HAPs Tracking Record**

This form or an equivalent form may be used to record the data required by this permit to demonstrate compliance with Construction Permit Number 012005-013 combined HAPs emissions limitation (Permit Condition PW002).

This sheet covers the month of \_\_\_\_\_ in the Year \_\_\_\_\_.

<b>Column 1</b>	<b>Column 2 (a)</b>	<b>Column 3</b>	<b>Column 4</b>	<b>Column 5</b>
<b>Material Used (Name, HAPs CAS #)</b>	<b>Amount of Material Used (Include Units)</b>	<b>Density (lbs/gal)</b>	<b>HAP Content (Weight %)</b>	<b>HAP Emissions (Tons)</b>
<b>(b) Total HAP Emissions Calculated for this Month in Tons:</b>				
<b>(c) 12-Month HAP Emissions Total from Previous Months Attachment B in Tons:</b>				
<b>(d) Monthly HAP Emissions Total (b) from Previous Year's Attachment B in Tons:</b>				
<b>(e) Current 12-Month Total HAP Emissions in Tons: [(b) + (c) – (d)]</b>				

**Instructions:** Choose appropriate HAP calculation method for units reported:

- (a)
  - 1) If usage is in tons - [Column 2] x [Column 4] = [Column 5];
  - 2) If usage is in pounds - [Column 2] x [Column 4] x [0.0005] = [Column 5];
  - 3) If usage is in gallons - [Column 2] x [Column 3] x [Column 4] x [0.0005] = [Column 5];
- (b) Summation of [Column 5] in Tons;
- 3) 12-Month HAP emissions (e) from last month's attachment B in Tons;
- 4) Monthly HAP emissions total (b) from the previous year's Attachment B in Tons;
- 5) Calculate the new 12-month combined HAPs emissions total. A 12-month total (e) of less than 25.0 tons indicates compliance.

- (a) Individually list each material which emits this specific HAP from this installation;
- (b) Record the amount of HAP emissions already calculated for Attachment B in [Column 5] in Tons;
- (c) Summation of [Column 5] in Tons;
- (d) Record the previous 12-Month individual HAP emission total (f) from last month's Attachment C, in Tons;
- (e) Record the monthly HAP emission total (c) from previously year's Attachment C, in Tons;
- (f) Calculate the new 12-month individual HAP emissions total. A 12-Month individual HAP emissions total of less than ten (10.0) tons indicates compliance

[illegible]

- (a)
  - 1) If usage is in tons - [Column 2] x [Column 4] = [Column 5];
  - 2) If usage is in pounds - [Column 2] x [Column 4] x [0.0005] = [Column 5];
  - 3) If usage is in gallons - [Column 2] x [Column 3] x [Column 4] x [0.0005] = [Column 5];
- (b) Summation of [Column 5] in Tons;
- (c) 12-Month VOC emissions (e) from last month's Attachment E in Tons;
- (d) Monthly HAP emissions total (b) from the previous year's Attachment E in Tons;
- (e) Calculate the new 12-month combined VOC missions total. A 12-month total (e) of less than 40.0 tons indicates compliance.

## STATEMENT OF BASIS

### Permit Reference Documents

These documents were relied upon in the preparation of the operating permit. Because they are not incorporated by reference, they are not an official part of the operating permit.

- 1) Part 70 Operating Permit Renewal Application, received September 13, 2004;
- 2) Initial Part 70 Operating Permit Number OP1999-067, issued June 2, 1999.
- 3) 2005 Emissions Inventory Questionnaire, received April 3, 2006;
- 4) U.S. EPA document AP-42, *Compilation of Air Pollutant Emission Factors*; Volume I, Stationary Point and Area Sources, Fifth Edition; and
- 5) Construction Permit 0792-037.

### Applicable Requirements Included in the Operating Permit but Not in the Application or Previous Operating Permits

In the operating permit application, the installation indicated they were not subject to the following regulation(s). However, in the review of the application, the agency has determined that the installation is subject to the following regulation(s) for the reasons stated.

#### 10 CSR 10-6.060, *Construction Permits Required*

Construction Permit Number 012005-013: This permit was issued for the construction of additional standard fractional press on January 28, 2005 after the submittal of the operating permit renewal application.

### Other Air Regulations Determined Not to Apply to the Operating Permit

The Air Pollution Control Program (APCP) has determined the following requirements to not be applicable to this installation at this time for the reasons stated.

#### 10 CSR 10-5.030, *Maximum Allowable Emission of Particulate Matter From Fuel Burning Equipment Used for Indirect Heating*.

The significant emission source(s) at this installation do not meet the definition of "indirect heating" as specified in 10 CSR 10-6.020, "...for the primary purposes of producing steam, hot water or hot air or other indirect heating of liquids, gases or solids where, in the course of doing so, the products of combustion do not come into direct contact with process materials..."

The installation has reported insignificant emission source(s) (i.e. space heaters with a total heat capacity of 1.1 MMBtu/hr) which are subject to the requirements of this rule. However, the APCP does not consider these sources to be capable of exceeding the particulate matter (PM) emission limitation of 0.60 pounds of particulate matter per million Btu's of heat input of this rule.

Therefore, as the significant emission source(s) were not considered to meet the indirect heating definition and the remaining insignificant emission unit(s) are always expected to be in compliance with the PM limitation, this rule is not included in the applicable requirements section of this operating permit.

10 CSR 10-6.400, *Restriction of Emission of Particulate Matter From Industrial Processes*

This regulation defines process weight to "exclude liquids and gases used solely as fuels and excluding air introduced for purposes of combustion" under 10 CSR 6.400(2)(A). For the emission source(s) (direct heat press dryers, pre-heaters and flame sealers) at this installation which might have been subject to this rule, the throughputs only consist of gaseous fuels and combustion air. Therefore, there are no applicable throughputs for these emission source(s). The scrap blower/shredder, at the maximum hourly design rate (2.0 tons/hr), the uncontrolled emission rate (0.21 lb/hr) is less than the allowed exemption level of 10 CSR 10-6.400(1)(B)11. (i.e., 0.5 lbs/hr), therefore this unit is not subject to the provisions of this rule. All other emission sources at this installation have no particulate emissions or are considered indirect heating sources. Therefore, no emission sources at this installation were considered to be applicable to this regulation and this rule is not included in the operating permit.

10 CSR 10-6.260, *Restriction of Emission of Sulfur Compounds*

This rule is amended to update emission limits and references to regulations, changes the rule organization, and brings the rule up to date. The amended rule clarifies applicability of sources subject to New Source Performance Standards and this rule. The amended rule also includes an exemption for combustion equipment that uses exclusively pipeline grade natural gas as defined in 40 CFR 72.2 or liquefied petroleum gas as defined by American Society for Testing and Materials (ASTM), or any combination of these fuels.

All combustion equipment at the installation which uses pipeline grade natural gas, therefore is exempt from the requirements of this rule.

**Construction Permit Revisions**

- 1) Construction Permit Number 1192-020: Recordkeeping specified in the Title V requires the source to retain all records of all required monitoring data and support information for 5 years. Construction Permit #1192-020 allows for 2 years of records. To be in compliance with the construction permit and Title V record retention period, the source will keep the records for 5 years.
- 2) Construction Permit Number 012005-013  
Special Condition 1B states "Tetra Pak Materials shall emit less than ten (10) tons individual or twenty-five (25) tons combined of Hazardous Air Pollutants (HAPs) from the entire installation in any consecutive 12-month period." This condition as written appears that the installation can comply with either the 10-ton limitation on individual HAP's or the 25-ton limitation on combined HAP's. The intent of the construction permit was to impose a plantwide condition for limiting the plantwide HAPs emission to less than 10 tons per year of individual HAP and 25 tons per year of combined HAPs. Therefore, to avoid uncertainty in the interpretation of Special Condition 1B, the construction permittee is revised in this operating permit so that the permittee complies with both the 10 tons of individual HAP limit and 25 tons of combined HAPs limit.

**New Source Performance Standards (NSPS) Applicability**

None.

### **Maximum Available Control Technology (MACT) Applicability**

10 CSR 10-6.075, *Maximum Achievable Control Technology Regulations*

40 CFR Part 63, Subpart T, *National Emission Standards for Halogenated Solvent Cleaning*

The provisions of this subpart apply to each individual batch vapor, in-line vapor, in-line cold, and batch cold solvent cleaning machine that uses any solvent containing methylene chloride, perchloroethylene, trichloroethylene, 1,1,1-trichloroethane, carbon tetrachloride or chloroform, or any combination of these halogenated HAP solvents, in a total concentration greater than 5 percent by weight, as a cleaning and/or drying agent. Wipe cleaning activities, such as using a rag containing halogenated solvent are not covered under the provisions of this subpart.

The permittee has a parts washer that is currently supplied and maintained by Safety Kleen. The solvent used in the parts washer is Safety Kleen Premium Solvent, which according to the MSDS is a petroleum hydrocarbon not containing any of the halogenated solvents as defined in 40 CFR 63.460, therefore the parts washer is not subject to the MACT standards for halogenated solvent cleaning.

10 CSR 10-6.075, *Maximum Achievable Control Technology Regulations*

40 CFR Part 63, Subpart KK, *National Emission Standards for the Printing and Publishing Industry*

The installation uses wide-web flexographic presses capable of printing substrates greater than 18 inches in width. The potential to emit during the issuance of the initial operating permit was less than 10 tons per year for any single HAPs and less than 25 tons per year for all HAPs and the installation was not subject to this MACT. In addition the installation was issued a construction permit # 012005-013 on January 28, 2005 that imposes a plantwide condition for limiting the plantwide HAP emission to less than 10 tons per year of individual HAPs and 25 tons per year of combined HAPs. Therefore, Tetra Pak Materials is not a major source of HAP emissions and is not subject 40 CFR Part 63, Subpart KK, *National Emission Standards for the Printing and Publishing Industry*.

### **National Emission Standards for Hazardous Air Pollutants (NESHAP) Applicability**

40 CFR Part 61 Subpart M, *National Emission Standard for Asbestos*, §61.145(a), Standard for demolition and renovation, applies to the installation.

### **Compliance Assurance Monitoring (CAM) Applicability**

40 CFR Part 64, *Compliance Assurance Monitoring (CAM)*

The CAM rule applies to each pollutant specific emission unit that:

- Is subject to an emission limitation or standard, and
- Uses a control device to achieve compliance, and
- Has pre-control emissions that exceed or are equivalent to the major source threshold.

40 CFR Part 64 is not applicable because none of the pollutant-specific emission units uses a control device to achieve compliance with a relevant standard.

### Other Regulatory Determinations

#### 10 CSR 10-6.220, *Restriction of Emission of Visible Air Contaminants*

This rule limits the amount of opacity of a source, and the allowed opacity is different for existing sources (defined as those sources installed or under construction in the outstate Missouri area on February 24, 1971) versus new sources. There are a number of emission points that emit non-particulate, invisible emissions that technically are subject to the opacity regulation at this installation. The oven dryers, preheaters, flame sealers, scrap blower/shredder and space heaters listed in this permit include the emission sources that have the potential to exhibit an opacity. Visible emissions observations will be performed in frequencies as stated in the Permit Condition PW001 and logged according to the monitoring and recordkeeping requirements. The monthly then the semi-annual visible/no visible emissions observation using Method 22 like procedures is considered sufficient for this type of operation. Method 9 inspections are performed for emission units with visible emissions perceived or believed to exceed the applicable opacity standard during the Method 22-like visible/no visible emission observation.

Emission Unit#	EQ Ref. #	Description	Installation Year	Visible Emission Limitation
EU0010	EP-01	Standard Fractional Press (A)	1965	40%
		Standard Fractional Press (A) Oven Dryer and Preheater	1965	40%
EU0020	EP-02	Standard Fractional Press (B)	1962	40%
		Standard Fractional Press (B) Oven Dryer and Preheater	1962	40%
EU0030	EP-03	Standard Fractional Press (C)	1958	40%
		Standard Fractional Press (C) Oven Dryer and Preheater	1958	40%
EU0040	EP-04	Standard Fractional Press (D)	1996	20%
		Standard Fractional Press (D) Oven Dryer and Preheater	1996	20%
EU0050	EP-05	Standard Fractional Press (E)	1992	20%
		Standard Fractional Press (E) Oven Dryer and Preheater	1992	20%
EU0060	EP-06	Flame Sealer (A) Stack (Natural Gas)	1965	40%
EU0070	EP-07	Flame Sealer (B) Stack (Natural Gas)	1962	40%
EU0080	EP-08	Flame Sealer (C) Stack (Natural Gas)	1960	40%
EU0090	EP-09	Flame Sealer (D) Stack (Natural Gas)	1958	40%
EU0100	EP-10	Flame Sealer (E) Stack (Natural Gas)	1992	20%
EU0110	EP-11	Scrap Blower/Shredder	Unknown	20%
EU0120	EP-12	Mini Fractiona Press (E) Preheater	1992	20%
EU0130	EP-16	Standard Fractional Press (F) with Oven Dryer and Preheater	2005	20%
	EP-13	Space Heaters	Unknown	20%
	EP-14	Photo Polymer Printing Plates Processing	Unknown	20%



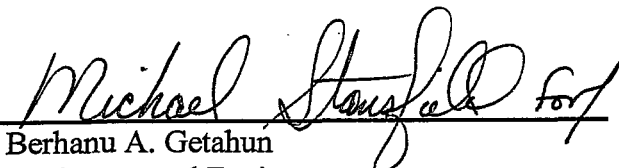
**Other Regulations Not Cited in the Operating Permit or the Above Statement of Basis**

Any regulation which is not specifically listed in either the Operating Permit or in the above Statement of Basis does not appear, based on this review, to be an applicable requirement for this installation for one or more of the following reasons:

- 1) The specific pollutant regulated by that rule is not emitted by the installation;
- 2) The installation is not in the source category regulated by that rule;
- 3) The installation is not in the county or specific area that is regulated under the authority of that rule;
- 4) The installation does not contain the type of emission unit which is regulated by that rule;
- 5) The rule is only for administrative purposes.

Should a later determination conclude that the installation is subject to one or more of the regulations cited in this Statement of Basis or other regulations which were not cited, the installation shall determine and demonstrate, to the APCP's satisfaction, the installation's compliance with that regulation(s). If the installation is not in compliance with a regulation which was not previously cited, the installation shall submit to the APCP a schedule for achieving compliance for that regulation(s).

Prepared by:

  
Berhanu A. Getahun  
Environmental Engineer